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46 MONTHS PRISON FOR PHONY BILLIONAIRE FINANCIER

SACRAMENTO--United States Attorney McGregor W. Scott announced today that RANDALL BERT FOSHIE, 58, of Roseville, who also uses the name BERT RANDALL FOSHIE, was sentenced today by United States District Judge Morrison C. England, Jr., to 46 months in prison. FOSHIE pleaded guilty to one count of felony mail fraud on October 18, 2006.

This case was the product of an investigation by the Federal Bureau of Investigation.

According to Assistant United States Attorney Matthew Stegman, who prosecuted the case, FOSHIE, doing business as Monument Investment and Development, Inc., admitted in court during his guilty plea that he had defrauded at least 13 people from whom he took fraudulent "up-front" or "commitment" fees, with promises of obtaining multi-million dollar financing or electric car sales dealerships. As a result of his scheme to defraud, FOSHIE obtained over \$350,000 from his victims. None of the money has been recovered.

FOSHIE admitted at his plea hearing that he held himself out to his victims and others as a billionaire, by representing that he was looking to buy multi-million dollar homes in the Sacramento area and an electric car company in Oregon. He further admitted he falsely represented he had recently sold a number of radio stations in Southern California. He claimed he was negotiating the purchase of Nevcar, an electric car research and development firm. He further claimed to be negotiating to buy Nevcar's intellectual property rights and 704 acres in Oregon on which he would build a plant to manufacture the electric cars. FOSHIE admitted that he never actually made any of the purchases, and never had the money or means to make any of the purchases.

FOSHIE further admitted that he added to the impression that he was wealthy by traveling to Oregon and holding a meeting with government officials in which he falsely claimed to have had two billion dollars to invest in Douglas County, Oregon, in order to buy and operate Nevcar. He also admitted that he made false statements to his victims in order to convince them that he was legitimate, including that his family made a fortune by inventing the metal eye rings in tarps; he was a former law enforcement officer; he was an attorney; and formerly counsel for the Walt Disney Company.

FOSHIE took "up-front" and "commitment" fees, generally between \$5,000 and \$50,000, from people who wanted to acquire multi-million dollar real estate. He also offered investments in electric car dealerships. He represented that each investor was required to pay \$25,000 up front, and that he would build the car dealership. Once built, the investor would pay the defendant another \$225,000 to acquire the dealership.

FOSHIE had previously been convicted of mail fraud and served a federal prison term in the mid-1990s. The case stemmed from a scam in which FOSHIE told potential buyers he could get them great deals on cars that were part of a corporate fleet. In that case, he took "up front" money totaling \$442,348 from his victims with promises that he would then deliver the cars. Instead, he took the cash and never furnished the cars. When victims of this latest fraud found out about the prior conviction and confronted FOSHIE, he claimed the person with the criminal record was RANDALL "BERT" FOSHIE but he was RANDALL "BURT" FOSHIE.

In truth, FOSHIE was not wealthy. In fact, in June of 2006, he filed for bankruptcy, stating in his bankruptcy petition that he had debts totaling \$30,664 and income of only \$636 a month in federal disability benefits. Just after filing for bankruptcy, the defendant began his scheme of convincing people he was a billionaire.

The government advocated for a sentence at the top of the federal sentencing guidelines for the offense, noting that the offense was almost identical to the defendant's two prior federal convictions for fraud-related activity and that his prior prison terms had not deterred him from continuing to engage in fraud.

In addition to a 46 month prison sentence, which was the top of the sentencing guidelines range for the offense, Judge England also ordered the defendant to pay \$351,000 in restitution to victims, and upon release from prison, to be on supervised release for 3 years.

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